

REMARKS

In the Office Action mailed June 25, 2007 from the United States Patent and Trademark Office, the Examiner rejected claims 16-20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter and rejected claims 1-7 and 9-20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,781,711 to Austin et al. (hereinafter “Austin”). The Examiner also indicated that claim 8 contained allowable subject matter, if amended into independent form including all of the limitations of the base claim. Applicant respectfully provides the following:

Rejections under 35 U.S.C. § 101:

In the Office Action, the Examiner rejected claims 16-20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has amended the claims to comply with the format suggested by the Examiner, and respectfully submits that the rejections have been overcome.

Rejections under 35 U.S.C. § 102(b):

M.P.E.P. § 2131 sets forth the standard for a rejection of a claim as anticipated under 35 U.S.C. § 102. “To anticipate a claim, the reference must teach every element of the claim.” M.P.E.P. § 2131 states further,

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). . . . “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicant respectfully submits that the reference cited by the Examiner fails to teach every element of the claim set as provided herein for the following reasons.

As indicated by the Examiner, claim 8, as originally submitted, contained limitations not taught by the prior art. Applicant has amended all the independent claims to contain all the limitations contained in claim 8. As claim 8 originally depended only on claim 1, claim 1 is now allowable, along with its dependent claims 2-7. Applicant respectfully submit that independent claims 9, 10, and 16 now, therefore, contain limitations defining over the cited reference, as each has been amended to include the subject matter of claim 8. Applicant therefore respectfully requests removal of the rejections of claims 9, 10, and 16, as well as dependent claims 11-15 and 17-20.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 20 day of September, 2007.

Respectfully submitted,

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